

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

RITA PLAZA,)	
)	
Plaintiff,)	8:05CV461
)	
v.)	
)	
MALNOVE INCORPORATED OF)	ORDER
NEBRASKA,)	
)	
Defendant.)	
_____)	

This matter is before the magistrate judge for full pretrial supervision. The case was filed on September 28, 2005. To date, the court file does not reflect that process has been properly served on the defendant. The court has given plaintiff two extensions of time to effect service of process, and the final extension expired on May 1, 2006. Furthermore, the court has explained to plaintiff that pursuant to Fed. R. Civ. P. 4(m) in order to properly effect service of process on defendant plaintiff must serve defendant with a copy of the summons **and** complaint and file proof of service with the court.

IT THEREFORE IS RECOMMENDED that this case be dismissed without prejudice pursuant to Fed. R. Civ. P. 4(m).

DATED this 17th day of May, 2006.

BY THE COURT:

s/ F.A. Gossett
United States Magistrate Judge